

Examination by the Bureau of Chemistry of this department of 7 cans and 12 cans from the two consignments showed an average shortage of 4.4 and 3.9 fluid ounces, respectively.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Minimum Volume 1 Gallon," borne on the cans containing the said article, was false and misleading, in that the said statements represented that the cans contained not less than 1 gallon of oysters, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cans contained not less than 1 gallon of oysters, whereas the cans did contain less than 1 gallon of oysters. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 11, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13560. Adulteration of canned salmon. U. S. v. 10,558 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18938, 18945, 18966, 18980, 19020. I. S. Nos. 20219-v, 20221-v, 20287-v, 20288-v, 20289-v, 20294-v. S. Nos. W-1569, W-1575, W-1583, W-1584, W-1589.)

On January 17, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying the seizure and condemnation of 10,558 cases of salmon, remaining in the original unbroken packages at Anacortes, Wash., consigned by the Alaska Herring & Sardine Co., from Port Walter, Alaska, alleging that the article had been shipped in interstate commerce from the Territory of Alaska into the State of Washington, arriving at Anacortes at different times during the months of August and September, 1924, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On January 22, 1925, the Alaska Herring & Sardine Co., claimant, having admitted that a portion of the product was adulterated and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$23,000, in conformity with section 10 of the act, conditioned in part that the unadulterated portion be separated from the adulterated portion under the supervision of this department, and the former released and the latter destroyed.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13561. Adulteration of canned salmon. U. S. v. 8,892 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18939, 18943, 18986, 19039, 19047, 19147. I. S. Nos. 20218-v, 20220-v, 20290-v, 20293-v, 21058-v, 21071-v. S. Nos. W-1570, W-1574, W-1586, W-1593, W-1603.)

On January 17, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 8,892 cases of salmon, remaining in the original unbroken packages at Anacortes, Wash., consigned by J. L. Smiley & Co., from Ketchikan, Alaska, alleging that the article had been shipped from Alaska, arriving at Anacortes at different times during the months of August, September, and October, 1924, and had been transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

During the month of January, 1925, J. L. Smiley & Co., Ketchikan, Alaska, claimant, having admitted that a portion of the product was adulterated and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and

the execution of a bond in the sum of \$17,000, in conformity with section 10 of the act, conditioned in part that the unadulterated portion be separated from the adulterated portion under the supervision of this department, and the former released and the latter destroyed.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13562. Adulteration of canned salmon. U. S. v. Carrol F. Buelow (C. F. Buelow Co.). Plea of guilty. Fine, \$50. (F. & D. No. 19346. I. S. Nos. 6102-v, 6811-v.)

On February 18, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carrol F. Buelow, trading as the C. F. Buelow Co., Seattle, Wash., alleging shipment by said defendant, in violation of the food and drugs act, on or about December 29, 1922, from the State of Washington into the State of Louisiana, of a quantity of canned salmon which was adulterated.

Examination by the Bureau of Chemistry of this department of 48 cans from the consignment showed that 26 cans contained fish in a very advanced stage of decomposition, 6 cans contained fish distinctly decomposed, and 14 cans contained stale fish.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.

On June 9, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13563. Adulteration and misbranding of coffee. U. S. v. 14 Bags of Coffee. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20088. I. S. No. 11077-v. S. No. C-4738.)

On May 27, 1925, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 14 bags of coffee, remaining in the original unbroken packages at Clinton, Ind., alleging that the article had been shipped by the Steele-Wedeles Co., from Chicago, Ill., October 4, 1924, and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Bag) "120 Lb. Net Steel Cut Coffee."

Adulteration of the article was alleged in the libel for the reason that peas and rice hulls had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for coffee.

Misbranding was alleged for the reason that the statement "Steel Cut Coffee" was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of steel cut coffee, whereas it contained a mixture of coffee, peas, and rice hulls.

On July 21, 1925, the Steele-Wedeles Co., Chicago, Ill., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13564. Misbranding of canned sugar corn. U. S. v. 683 Cases of Sugar Corn. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20101. I. S. Nos. 9597-v, 9598-v. S. No. C-4740.)

On or about June 6, 1925, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 683 cases of sugar corn, remaining in the original unbroken packages at San Antonio, Tex., alleging that the article had been shipped by the New Vienna Canning Co., from New Vienna, Ohio, October 15, 1924, and transported from the State of Ohio into the State of Texas, and charging misbranding in violation of the food and drugs act as amended. The